



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr D Hession

**Respondents:** 1. Prosperity Law LLP  
2. Mr A Farrell  
3. Mr S Gerrard  
4. Mr E Smethurst

**Heard at:** Manchester

**On:** 8 July 2022

**Before:** Employment Judge Warren  
(sitting alone)

## REPRESENTATION:

**Claimant:** In person  
**Respondent:** Mr Bronze, Counsel

# JUDGMENT

The judgment of the Tribunal is that:

1. The application to hear the claim for an unlawful deduction from wages (holiday pay) today is refused. This part of the claimant's claim will be heard at the main hearing along with all other heads of claim.
2. The claimant's application to admit 'without prejudice' documents into the evidence for the main hearing is ill founded and is dismissed.
3. The claim of victimisation based on comments within the 'without prejudice' correspondence is ill founded and is dismissed.
4. Any other claim of victimisation will be joined to the claim of disability discrimination and heard at the main hearing.

## ORDERS

1. The claimant is to edit from his particulars of claim and witness statements any reference to the matters which have been dismissed above (for clarity they are listed in the respondent's skeleton argument).
2. Any remaining victimisation claims under case number 2415415/2021 will be joined to the claim for disability discrimination (2414432/2021). They will all be heard together in one final hearing (already listed).

Employment Judge Warren  
11 July 2022

JUDGMENT SENT TO THE PARTIES ON  
12 July 2022

FOR THE TRIBUNAL OFFICE

### **Note**

Reasons for the judgment having been given orally at the hearing, written reasons will not be provided unless a request was made by either party at the hearing or a written request is presented by either party within 14 days of the sending of this written record of the decision.

### **Public access to employment tribunal decisions**

Judgments and reasons for the judgments are published, in full, online at [www.gov.uk/employment-tribunal-decisions](http://www.gov.uk/employment-tribunal-decisions) shortly after a copy has been sent to the claimant(s) and respondent(s) in a case.